

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO. _____
v.	:	DATE FILED: _____
TESHINA DREVITT	:	VIOLATIONS:
	:	18 U.S.C. § 371 (conspiracy to make
	:	false statements to a federal firearms
	:	dealer - 1 count)
	:	18 U.S.C. § 924(a)(1)(A) (false statements
	:	to a federal firearms dealer - 1 count)
	:	Notice of forfeiture

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

At all times material to this indictment:

1. U.S. Heritage Inc., located at 641 Route 309 in Montgomeryville, Pennsylvania, possessed a federal firearms license (“FFL”) and was authorized to deal in firearms under federal laws.
2. FFL holders are licensed, among other things, to sell firearms and ammunition. Various rules and regulations promulgated under the authority of Title 18, United States Code, Chapter 44 (Sections 921-929) govern the manner in which an FFL holder may sell firearms and ammunition.
3. The rules and regulations governing FFL holders require that a person seeking to purchase a handgun fill out a “Firearms Transaction Record,” ATF Form 4473. Part

of the ATF Form 4473 requires that the prospective purchaser certify truthfully, subject to penalties of perjury, that he or she was the actual buyer of the firearm. The ATF Form 4473 contained language warning that “[t]he federal firearms laws require that the individual filling out this form must be buying the firearm for himself or as a gift. Any individual who is not buying the firearm for himself or herself or as a gift, but who completes this form, violates the law.”

4. FFL holders were required to maintain a record, in the form of a completed ATF Form 4473, of the identity of the actual buyer of firearms sold by the FFL holder.

5. A person who falsely completes ATF Form 4473 and falsely states that he or she is buying a firearm for himself or herself when he or she is intending to purchase a firearm for another person is a “straw purchaser.”

6. On or about May 16, 2002, defendant

TESHINA DREVITT

conspired and agreed with Person #1, known to the grand jury, and others known and unknown to the grand jury, to commit an offense against the United States, that is to knowingly make false statements with respect to the information required to be kept in the records of a federally licensed firearms dealer, specifically, the identity of the actual buyer of firearms, in violation of Title 18, United States Code, Section 924(a)(1)(A).

MANNER AND MEANS

It was part of the conspiracy that:

7. Person #1 known to the grand jury, a convicted felon, asked defendant TESHINA DREVITT to purchase two semiautomatic pistols for him from U.S. Heritage.

8. At Person #1's direction, defendant TESHINA DREVITT went to U.S. Heritage and falsely represented on ATF Form 4473 that she was purchasing two semiautomatic pistols for herself, when, in fact, she was purchasing them for Person #1.

OVERT ACTS

In furtherance of the conspiracy, defendant TESHINA DREVITT and Person #1 committed the following overt acts, among others, in the Eastern District of Pennsylvania and elsewhere:

On or about May 16, 2002:

1. Person #1 gave defendant TESHINA DREVITT cash and instructions to purchase two firearms, specifically one Taurus .45 caliber semiautomatic pistol and one Taurus .40 caliber semiautomatic pistol.

2. After Person #1 and defendant TESHINA DREVITT drove together to U.S. Heritage, at the direction of Person #1, defendant DREVITT and Person #1 entered U.S. Heritage.

3. Defendant TESHINA DREVITT completed an ATF Form 4473 in which she falsely represented that she was the actual buyer of the firearms.

4. Defendant TESHINA DREVITT then paid approximately \$1,500.00 in cash and purchased a Taurus, Model PT145 .45 caliber semiautomatic pistol bearing serial

number NUI87831, and a Taurus, Model PT140 .40 caliber semiautomatic pistol bearing serial number SVA39726.

5. After leaving U.S. Heritage, defendant TESHINA DREVITT and Person #1 traveled to defendant DREVITT'S home, where she gave Person #1 the two firearms that she had just purchased for him, that is, the Taurus, Model PT145 .45 caliber semiautomatic pistol bearing serial number NUI87831, and the Taurus, Model PT140 .40 caliber semiautomatic pistol bearing serial number SVA39726.

All in violation of Title 18, United States Code, Section 371.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 5, 7 and 8, and Overt Acts 1 through 5, of Count One are incorporated here.

2. On or about May 16, 2002, in the Eastern District of Pennsylvania, defendant

TESHINA DREVITT,

in connection with the acquisition of the firearms listed below, from U.S. Heritage, an FFL holder, knowingly made a false statement and representation with respect to information required by the provisions of Chapter 44 to be kept in the FFL holder's records, in that, defendant DREVITT certified on an ATF Form 4473, Firearms Transaction Record, that she was the actual buyer of the firearms listed below, when, in fact, as defendant DREVITT well knew, her statements and representations were false and fictitious:

Count	Location	Firearm	Serial Number
2	U.S. Heritage	Taurus, Model PT145 .45 caliber semiautomatic pistol	NUI87831
		Taurus, Model PT140 .40 caliber semiautomatic pistol	SVA39726

In violation of Title 18, United States Code, Section 924(a)(1)(A).

NOTICE OF FORFEITURE

As a result of the violation of Title 18, United States Code, Section 924(a)(1)(A) set forth in this indictment, the defendant

TESHINA DREVITT

shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 924(d), and Title 28, United States Code, Section 2461(c), the firearm and ammunition involved in the commission of this offense, including, but not limited to:

- (1) Taurus, Model PT145 .45 caliber semiautomatic pistol bearing serial number NUI87831, and
- (2) Taurus, Model PT140 .40 caliber semiautomatic pistol bearing serial number SVA39726.

All pursuant to Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Section 924(d).

A TRUE BILL:

FOREPERSON

PATRICK L. MEEHAN
United States Attorney